

This letter provides references regarding sales of service, construction contracts, maintenance contracts, data and security systems, and armored car services. See 86 Ill. Adm. Code 130.1940. (This is a GIL.)

February 25, 2004

Dear Xxxxx:

This letter is in response to your letter dated August 6, 2003, in which you request information. We apologize for the delay in responding to your inquiry. The Department issues two types of letter rulings. Private Letter Rulings ("PLRs") are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. A PLR is binding on the Department, but only as to the taxpayer who is the subject of the request for ruling and only to the extent the facts recited in the PLR are correct and complete. Persons seeking PLRs must comply with the procedures for PLRs found in the Department's regulations at 2 Ill. Adm. Code 1200.110. The purpose of a General Information Letter ("GIL") is to direct taxpayers to Department regulations or other sources of information regarding the topic about which they have inquired. A GIL is not a statement of Department policy and is not binding on the Department. See 2 Ill. Adm. Code 1200.120. You may access our website at www.ILTAX.com to review regulations, letter rulings and other types of information relevant to your inquiry.

The nature of your inquiry and the information you have provided require that we respond with a GIL. In your letter you have stated and made inquiry as follows:

I have questions regarding the taxability of several transactions. These topics were not directly addressed in your state statutes, rules or regulations. I would like clarification to the following sales tax issues:

TRANSACTION	TAXABLE	POINT OF TAXABILITY	DOCUMENTS TO SATISFY NON-TAXABLE TREATMENT
Armored Car Services	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other
Money Processing Services	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other
Maintenance Contract	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other
Maintenance Contract Labor	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other
Repair Parts	Y or N	Ship-To or Ship-From	Exemption Certificate or

New Real Estate construction	Y or N	Ship-To or Ship-From	Statue or Other Exemption Certificate or Statue or Other
Improvements to existing real estate	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other
Itemized cost contracts	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other
Security alarm systems	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other
Data lines for telephone systems	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other
Data lines for computers and security systems	Y or N	Ship-To or Ship-From	Exemption Certificate or Statue or Other

SIGNATURE

DATE

PHONE NUMBER

Please provide the procedural determination by circling the corresponding category and sign. Please mail or fax back to the address below.

Your prompt attention to this matter is greatly appreciated. Thank you in advance for your service and cooperation.

DEPARTMENT'S RESPONSE:

We regret that we cannot provide you with a specific answer in the context of a General Information Letter. Please see the following administrative rules and General Information Letters (GILs) that can be accessed on the Department's website listed below. GILs: ST-03-0004, ST-02-0233, and ST-96-0180. Rules: Sales of Service – 86 Ill. Adm. Code Part 140; Construction Contractors - 86 Ill. Adm. Code 130.1940; Maintenance Agreements – subsection (b)(3) of 86 Ill. Adm. Code 140.301; and Warranty Repairs – 86 Ill. Adm. Code 140.141.

I hope this information is helpful. If you require additional information, please visit our website at www.ILTAX.com or contact the Department's Taxpayer Information Division at (217) 782-3336. If you are not under audit and you wish to obtain a binding PLR regarding your factual situation, please submit a request conforming to the requirements of 2 Ill. Adm. Code 1200.110 (b).

Very truly yours,

Terry D. Charlton
Associate Counsel

TDC:msk